

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ONIAJA SHEPHERD,

Plaintiff,

- against -

ORDER

10-CV-3110 (RRM) (VV)

UNITED STATES OF AMERICA, et. al.,

Defendants.

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MAUSKOPF, United States District Judge.

At an initial conference held on December 7, 2010 before the assigned Magistrate Judge, the Honorable Viktor V. Pohorelsky, counsel for Defendants made motions for dismissal of this action for Plaintiff's failure to effectuate service on any Defendant within the 120-day period mandated by Rule 4(m) of the Federal Rules of Civil Procedure. That same day, Judge Pohorelsky issued a Report and Recommendation (the "R&R") recommending that the motions be granted and that the Complaint be dismissed. Judge Pohorelsky reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due December 21, 2010. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED that the Complaint is DISMISSED pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. The Clerk of Court is directed to enter Judgment accordingly and to close the case.

SO ORDERED.

Dated: Brooklyn, New York
December 30, 2010

/s/
ROSLYNN R. MAUSKOPF
United States District Judge